

COMMONWEALTH OF PENNSYLVANIA



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March 6, 2024

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Petition of The Pittsburgh Water and
Sewer Authority for Approval of
Its Lead Service Line Replacement
Program
Docket No. P-2024-3046468

Dear Secretary Chiavetta:

Attached for electronic filing please find the Office of Consumer Advocate's Answer to the Pittsburgh Water and Sewer Authority's Petition for Approval of its Lead Service Line Replacement Program in the above-referenced proceeding.

Copies have been emailed to the parties listed on the enclosed Certificate of Service.

Respectfully submitted,

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Enclosures:

cc: The Honorable Charles E. Rainey, Jr. (email only)
Office of Special Assistants (email only: ra-OSA@pa.gov)
Certificate of Service

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CERTIFICATE OF SERVICE

Petition of The Pittsburgh Water and Sewer Authority for Approval of Its Lead Service Line Replacement Program :
: Docket No. P-2024-3046468

I hereby certify that I have this day served a true copy of the following document, the Office of Consumer Advocate's Answer to Pittsburgh Water and Sewer Authority's Petition for Approval of its Lead Service Line Replacement Program, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below. This document was filed electronically on the Commission's electronic filing system.

Dated this 6th day of March 2024.

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of The Pittsburgh Water and Sewer Authority for Approval of its Lead Service Line Replacement Program :
: Docket No. P-2024-3046468
:

ANSWER
OF THE
OFFICE OF CONSUMER ADVOCATE

I. INTRODUCTION

On February 15, 2023, The Pittsburgh Water and Sewer Authority (PWSA) filed with the Pennsylvania Public Utility Commission (Commission) a Petition seeking approval of its Lead Service Line Replacement Program (LSLR Program), proposed revisions to PWSA’s Second Long-Term Infrastructure Improvement Plan (LTIIIP), its pro forma tariff supplement, and responses to 52 PA. Code Section 53.52(a) (hereinafter referred to as Petition).

As discussed below, additional information will be necessary for the Commission to determine whether the proposed LSLR improvements are prudent and cost-effective and will maintain safe, reliable, and reasonable service as required by 66 Pa. C.S. §§ 1352(a)(5), (a)(6) and 1353. As such, the OCA requests that the matter be referred to the Office of Administrative Law Judge so that hearings can be scheduled. The OCA further requests that this docket be consolidated with PWSA’s petition to waive Commission regulations at Docket No. P-2024-3046465.

II. ANSWER

1. Service Line Inventory

As indicated in PWSA's Petition, PWSA's LSLR Program includes preparing its Service Line Inventory, which will comply with EPA's regulations at 40 C.F.R. 141.1--143.20. Petition App. A. at 3-11. PWSA contracted Blue Conduit to develop a predictive model to predict materials of water service lines. Petition App. A. at 8-9. PWSA states that "[p]rior to the October 2024 LCRR inventory deadline, Blue Conduit will provide guidance to PWSA with evaluating the model results and will make recommendations for classifying unknown service line materials, as well as prepare a comprehensive statistical analysis report to be submitted to PADEP for final review and approval." Petition App. A. at 9. The OCA seeks clarification as to the costs and benefits of utilizing Blue Conduit's predictive model.

Additionally, regarding customer surveys, PWSA stated:

In late 2023, PWSA sent post cards or an email to about 20,000 locations within the PWSA water service area asking customers to self-report internal service line materials where that data point did not exist and it was needed to meet the PADEP inventory requirements. The materials provided to the customer included directions on how to determine the service line materials, as well as an application (Survey123) to use to take a photo and report the results.

Petition App. A. at 9. PWSA notes that its Service Line Inventory will be updated monthly. Petition App. A. at 11.

The OCA supports PWSA's initiative to identify its Service Line Inventory by sending customers surveys to assist with its inventory. The OCA, however, seeks clarification as to what steps PWSA will take to ensure that by the deadline of October 16, 2024, all customers respond to the survey and what other steps PWSA will take to ensure they have accurately identified possible customer-owned lead service lines (LSL).

2. Prioritizing Lead Service Line Replacements

PWSA indicated that its prioritization model utilizes the following factors in prioritizing LSLRs: (1) population sensitive to elevated lead level; (2) blood lead levels; (3) income levels, and; (4) number of lead and unknown service lines. Petition App A. at 13-14. The OCA recommends that PWSA notify its customers with information regarding LSL identification and replacement procedures by using multiple methods such as phone, mail and electronic mail. Moreover, the OCA seeks more information regarding how the prioritization of factors works in PWSAs model.

3. Reimbursements

Simultaneously with this Petition, PWSA is also requesting a petition seeking a waiver of certain provisions of the Commission's regulations to permit PWSA to continue its existing reimbursements program that bases reimbursement amount on income. Petition at 1-2. PWSA's existing reimbursement program is income-based, with those at less than 300% of the Federal Poverty Level (FPL) receiving 100% reimbursement of eligible cost, those at 301%-400% FPL receiving a 75% reimbursement, those at 401%-500% FPL receiving a 50% reimbursement and those at greater than 500% FPL receiving a \$1,000 reimbursement. Petition at 7.

The OCA seeks clarification on how income-based reimbursement is effectuated in removing all lead service lines in the service territory. Moreover, the OCA needs additional information as to whether PWSA has the financial and workforce resources to accurately and timely complete the applications for reimbursement.

PWSA should commit to developing outreach materials and a plan that will make all its customers aware of the reimbursement program. The OCA recommends that any forms and

instructions necessary for a customer or owner to receive reimbursement should be mailed physically and electronically (including via text message) to potentially eligible customers and owners, along with the forms remaining available on PWSA's website.

4. Outreach

PWSA notes in its plan that it will include a notation in Spanish in all documents regarding LSLR. Petition App. A at 31. In addition to information on LSLs, this customer outreach and communication should also include information for low-income customers on customer assistance programs. PWSA should also be required to share with the statutory advocates the communications materials to be used in its communication plan and to work with the parties to develop an outreach process for communications related to LSLR.

The OCA applauds the Company's effort to serve its Spanish speaking customers. *See* Petition App. A. at 31. However, the OCA suggests that all documents given to customers or owners be available in a customer's or owner's preferred language if it is a language other than English or Spanish upon request. Moreover, a notation in PWSA's top five non-English languages should be included on all documentation similar to how PWSA includes Spanish notations. This approach is consistent with the CCR requirements and would provide effective outreach so that those whose first language is not English can understand PWSA's communications. The OCA also recommends that written information found on the website should be available in English and Spanish.

III. CONCLUSION

The Office of Consumer Advocate supports Community Utilities of Pennsylvania Inc.'s goal of replacing customer-owned lead service lines. The Office of Consumer Advocate requests that the Petition be referred to the Office of Administrative Law Judge for hearings and be consolidated with PWSA's Petition for Waiver filed at Docket No. P-2024-3046465.

Respectfully Submitted,

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